

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

01 NOV -7 AM 9:32  
CLERK OF ALABAMA

KOU XIONG,

Petitioner,

v.

IMMIGRATION AND  
NATURALIZATION SERVICE,

Respondent.

NO. CV 01-C-2115-S

ENTERED

NOV 7 2001

MEMORANDUM OF OPINION

On October 4, 2001, the magistrate judge assigned this matter entered a Report and Recommendation. It was recommended that the petitioner's application for a writ of habeas corpus, filed pursuant to 28 U.S.C. § 2241, be transferred to the United States District Court for the Northern District of Georgia. The report and recommendation was filed and then was mailed to the petitioner at his place of incarceration in Georgia. (Doc. 3). The report and recommendation has been returned by the United States Postal Service. Additionally, the magistrate judge has been informed that the petitioner was released from custody on or about September 27, 2001.

In accord with the information provided the court, this petition for writ of habeas corpus is due to be deemed moot and dismissed without prejudice. An appropriate order will be entered.

DONE, this 25<sup>th</sup> day of ~~October~~, 2001.



U. W. CLEMON  
CHIEF UNITED STATES DISTRICT JUDGE